

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re application of |) | |
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| Inventor: PIERCE, KEVIN R |) | |
| |) | |
| Title: ADAPTER PLATE FOR |) | |
| ELECTRICAL COMPONENTS |) | |
| INSTALLED INTO EXPOSED LOGS IN |) | |
| LOG-CONSTRUCTION BUILDINGS |) | |
| |) | |
| Serial No. 10/755,839 |) | Examiner: HARRIS, ANTON B |
| |) | |
| Filing Date: 01/12/2004 |) | Group Art Unit 2831 |

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. INTRODUCTORY COMMENTS

This is responsive to the current office action mailed on 02/08/2006. Please amend the application as follows:

- In the Claims, amend claims 1 and 2 as presented beginning on page 2 hereof.
- Claims 1-6 are pending and under examination in the application.

II. AMENDMENTS TO THE CLAIMS:

1. (Currently Amended) A unitary construction adapter plate for installing (i) a generally rectangular box onto the curved exposed face of a log, (ii) a component having positioning tabs on opposite ends thereof into the box, and (iii) a cover having a flat back side perimeter over the component and the box, the adapter plate comprising:

- a) top and bottom sides,
- b) left and right sides extending between the top and bottom sides,
- c) a back side extending between the top, bottom, ~~and~~ left and right sides, the back side having a rearwardly facing curvature with its center of curvature rearwardly thereof, and having a smooth curvature complimentary to the curvature of the exposed face of the log,
- d) a front side extending between the top, bottom, ~~and~~ left and right sides, ~~and the front side~~ having (i) a flat ~~generally surrounding cover support zone for supporting engagement with the flat back side perimeter of the cover,~~ and (ii) substantially flat positioning-tab support zone pads at opposite ends thereof for supporting engagement with the positioning tabs of the box, the cover support zone and the positioning-tab support zone pads being located forwardly of the curvature on the back side, and
- e) a generally rectangular ~~center~~ opening extending from the front side through the back side, the cover support zone generally surrounding the opening at the front side ~~the center opening being sized to slidably receive the box therethrough.~~

2. (Currently Amended) A method for installing an electrical component into the curved exposed face of a log in a log-construction facility, the method comprising:

- a) providing
 - i) an electrical box,
 - ii) an electrical component having positioning tabs on opposite ends thereof,
 - iii) a cover having a flat back side perimeter, and
 - iv) an adapter plate comprising:
 - a) surrounding top, bottom, left and right sides,
 - b) a back side having a ~~smooth~~ rearwardly facing curvature complimentary to the curvature of the exposed face of the log,
 - c) a front side having (i) a flat ~~generally surrounding cover support zone for supporting engagement with the flat back side perimeter of the cover,~~ and (ii) substantially flat support zone pads at opposite ends thereof for supporting engagement with the positioning tabs of the box, the cover support zone and the support zone pads being located forwardly of the curvature on the back side, and
 - d) ~~an center opening extending from the front side through the back side, the cover support zone generally surrounding the opening at the front side the center opening being sized to slidably receive the box therethrough;~~
- b) forming an opening sized to receive the electrical box in the log through the curved exposed face of the log;
- c) installing the electrical box into the opening in the adapter plate;
- d) securing the electrical box and adapter plate to the curved exposed face of the log with the curvature on the back side of the adapter plate at the curved exposed face of the log and with the electrical box extending through the adapter plate into the opening in the log;
- e) securing the positioning tabs of the electrical component to the support zone pads of the adapter plate; and

- f) securing the cover to the electrical component with the flat back side perimeter of the cover in contact engagement with the cover support zone of the adapter plate.
- 3. (previously presented) The adapter plate as defined in claim 1 in which the back side is formed with a single concave curvature extending generally from top to bottom.
- 4. (previously presented) The adapter plate as defined in claim 1 in which the back side is formed with a pair concave curvatures positioned from top to bottom in relation to one another to bridge the junction between two stacked logs.
- 5. (previously presented) The method as defined in claim 2 in which the back side of the adapter plate is formed with a single concave curvature extending generally from top to bottom
- 6. (previously presented) The method as defined in claim 2 in which the back side of the adapter plate is formed with a pair concave curvatures positioned from top to bottom in relation to one another to bridge the junction between two stacked logs.

III. REMARKS

Applicant thanks the examiner for favorable reconsideration and withdrawal of the previous rejection of Claims 1 and 2 under 35 USC § 103(a) as obvious to Kohnen (6,098,825) in view of Vrame (6,426,278).

Claim Rejections - 35 USC § 103

Claims 1 and 2 currently stand rejected under 35 USC § 103(a) as obvious to Kohnen (6,098,825) in view of Hyde (6,376,770).

Response to Rejections, Amendments to the Claims & Request for Reconsideration

Applicant respectfully requests reconsideration and withdrawal of the current rejections of claims 1-6.

Claim 1 has been amended to clarify, in clause (d), that -- the cover support zone and the support zone pads are located forwardly of the curvature on the back side of the adapter plate. Claim 2 has been similarly amended in clause (a)(iv)(c). This distinguishes amended claims 1 and 2 over the prior art cited as apparent interpreted by the examiner allowing for the support zone pads 33 of Kohnen being located behind the curvature (back side of 38) of the cover as suggested in the Office Action.

Further, Applicant believes that the rejection of claims 1 and 2 as obvious to Kohnen in view of Hyde was improper. There is no explanation in the Office Action as to how the cover support zone 210 of Hyde might be used in the Kohnen device to obtain the claimed invention, and such use is, contrary to the suggestion in the Office Action, not obvious. The Office Action does not specify what is asserted as being the cover support zone of Kohnen for which the cover support zone 210 of Hyde might be substituted. In fact, the actual cover support zone of Kohnen shown in FIG. 2 includes the two sides 30A, 30B and the curved faces 33 on the adapters at the top and bottom of the junction box. (Similar flat sides and curved top and bottom cover support zones are shown in all embodiments of Kohnen.) If the flat cover support zone 210 of Hyde is substituted for this actual cover support zone of Kohnen, then the curved surfaces 33 of Kohnen, the primary purpose of Kohnen being providing an adapter between a conventional junction box

and a curved cover plate, is defeated. In other words, the proposed combination is either directly counseled against by Kohnen's purpose, or the result is an inoperative combination as to the teachings of Kohnen. Neither Kohnen nor Hyde suggest provision of a flat cover support zone for a curved cover of Kohnen as asserted in the Office Action. For this reason, as well as the above-discussed clarifying amendment to claims 1 and 2, Applicant respectfully submits that these claims are allowable over the art of record.

The additional amendments in claims 1 and 2 are intended to clarify certain aspects of the claimed invention not involving consideration of the prior art or the current rejection thereof.

For the above reasons, Applicant respectfully submits that the claims pending and under examination in this application are allowable over the references cited in the Office Action, and requests reconsideration and withdrawal of the rejection of claims 1-2 and allowance of all claims.

Respectfully submitted,

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